

1 HEATHER E. WILLIAMS, SBN 122664
2 Federal Defender
3 HOOTAN BAIGMOHAMMADI, SBN 279105
4 Assistant Federal Defender
5 Designated Counsel for Service
6 801 I Street, Third Floor
7 Sacramento, CA 95814
8 T: (916) 498-5700
9 F: (916) 498-5710

10 Attorneys for Defendant
11 Mr. Garcia

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13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,) Case No. 2:23CR228-DJC
16 Plaintiff,)
17 vs.) **STIPULATION AND ORDER TO CONTINUE**
18 EDGAR ENRIQUE GARCIA-) **JUDGMENT AND SENTENCING**
19 LOPEZ,)
20 Defendant.)
21 Date: January 9, 2024
22 Time: 9:00 a.m.
23 Judge: Daniel J. Calabretta

24 IT IS HEREBY STIPULATED and agreed by and between United States Attorney
25 Phillip A. Talbert, through Assistant United States Attorney Alstyn Bennett, counsel for Plaintiff,
26 and Federal Defender Heather Williams, through Assistant Federal Defender Hootan
27 Baigmoammadi, counsel for Defendant Edgar Enrique Garcia-Lopez, that the previously
28 scheduled Judgment and Sentencing set for January 9, 2024 be continued to January 30, 2025 at
9:00 a.m.

The parties specifically stipulate as follows:

1. At the October 10, 2024 Status Conference re Judgment and Sentencing the Court
modified the sentencing schedule because Mr. Garcia intended to file a Motion to
Compel Discovery re: sentencing manipulation and the draft PSR had only
published a week prior. The Court reset Judgment and Sentencing for January 9,
2024.

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2. On November 10, 2024, Mr. Garcia requested information from the government
3 relevant to an objection to the draft PSR assessing a +2 specific offence
4 characteristic for importation of methamphetamine.
5. On November 15, 2024, the Court granted Mr. Garcia's Motion to Compel
6 Discovery re: sentencing manipulation. ECF no. 67.
7. The following occurred while defense counsel was on leave from November 28
8 through December 13, 2024. On December 3, 2024, the government informed
9 defense counsel that it had reviewed agent's notes and communications and did
10 not find any materials responsive to the Motion to Compel Discovery re:
11 sentencing manipulation. Informal objections were due on December 12, 2024.
12. On December 16, 2024, the government confirmed the information necessary for
13 Mr. Garcia to file an informal objection to the PSR with respect to the +2 specific
14 offence characteristic for importation of methamphetamine.
15. Mr. Garcia needs additional time to adequately prepare for sentencing. He is
16 exploring next steps with respect to any sentencing manipulation arguments, and
17 he wishes to timely submit informal PSR objections.
18. For all the above reasons, Mr. Garcia believes that good cause and compelling
19 circumstances exist to continue the Judgment and Sentencing.
20. The government does not object to Mr. Garcia's continuance request.
21. For the forgoing reasons, the parties jointly request that the Judgment and
22 Sentencing Schedule be modified as follows.

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Draft PSR	completed
Informal Objections	January 2, 2025
Final PSR	January 9, 2025
Formal Objections	January 16, 2025
Response to Formal Objections/Sentencing Memorandum	January 23, 2025
Judgment and Sentencing	January 30, 2025

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: December 18, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Garcia

Date: December 18, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Alstyn Bennett
ALSTYN BENNETT
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: December 20, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE